IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 12427 of 2007(S)

OP.368/1998 of FAMILY COURT,THRISSUR
.....

PETITIONER:

RAVI, S/O.MULLAKKARA ARUMUGHAN,
VADOOKKARA DESOM, KOORKKENCHERY VILLAGE,
THRISSUR.

BY ADV. SRI.C.HARIKUMAR
ADV. SRI.ARAVINDA KUMAR BABU T.K.
ADV. SRI.VIZZY GEORGE KOKKAT

RESPONDENTS:
---

1. AMMINI, W/O.RAVI, MULLAKKARA,
VADOOKKARA DESOM, KOORKKENCHERY VILLAGE,
THRISSUR.

2. MINOR PRABHU, S/O.AMMINI,
REP. BY IST RESPONDENT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

.....

W.P.(C) No. 12427 OF 2007

.....

Dated this the 11th April, 2007

J U D G M E N T

Sankaran, J:

Petitioner challenges Ext. P2 order in I.A.No. 801 of 2006 in O.P. 368 of 1998 on the file of the Family Court, Thrissur, by which the prayer made by the petitioner for restoration of I.A. 226 of 2003, was dismissed by the Family Court.

2. Original Petition was filed by the respondents claiming maintenance. That petition was allowed ex parte on 07.04.2001 granting maintenance to the respondents. I.A. 226 of 2003 was filed by the petitioner herein to set aside the ex parte decree and that petition was allowed on condition of payment of Rs. 6,000/- towards arrears of maintenance. Petitioner did not pay the amount as directed by the court and therefore I.A. 226 of 2003 was dismissed on 03.03.2005 . I.A.No. 688 of 2005 was filed by the petitioner for extension of time to comply with the condition of payment of Rs.6,000/-. But that application was dismissed by

the court below . The present application, viz., I.A. 801 of 2006 was filed to restore I.A. 226 of 2003 . The court below dismissed the application holding that there is no merit in the application and that the attempt of the petitioner is to get the order dated 11.02.2005 modified. Original Petition was filed for maintenance and that petition was allowed on 07.04.2001. Even in 2006, the attempt of the petitioner is to nullify that order by getting the ex parte order set aside. He did not comply with the conditional order passed by the court below.

No grounds are made out for interference. Writ Petition lacks merit and it is accordingly dismissed.

KURIAN JOSEPH,
JUDGE.

K.T. SANKARAN,
JUDGE.

lk